

**UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF TENNESSEE
NASHVILLE DIVISION**

JOHN ALLEN HESSMER,

Plaintiff,

v.

WILSON COUNTY, *et al.*,

Defendants.

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**No. 3:13-mc-00039
Judge Trauger**

ORDER

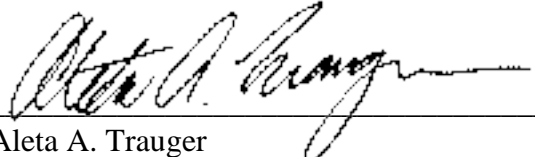
The plaintiff, an inmate at the Riverbend Maximum Security Institution in Nashville, Tennessee, has submitted a “Continuing Tort Conspiracy Suit” against Wilson County, Brian Wayne Fuller, Sam V. Guin, Jr., Marty Smith McLemore, and Lee Bridges. (Docket No. 1). However, the plaintiff has not paid the three hundred fifty dollar (\$350.00) civil filing fee. Neither has he submitted an application to proceed *in forma pauperis* in lieu thereof.

The Clerk is **DIRECTED** to send the plaintiff a blank application to proceed *in forma pauperis* and a copy of Administrative Order No. 93. The plaintiff, in turn, is directed to do one of the following within thirty (30) days of the date that he receives this order: (1) **either** pay the full three hundred fifty dollar (\$350.00) filing fee; (2) **or** complete the application to proceed *in forma pauperis* provided in accordance with Administrative Order No. 93, and return the properly completed application to the district court with a certified copy of his inmate trust fund account statement for the 6-month period immediately preceding the date of the entry of this order, as required under 28 U.S.C. § 1915(a)(2).

The plaintiff is forewarned that if he does not comply with this order within the 30-day time frame specified, the court is required under the law to presume that he is not a pauper, assess the full amount of the filing fee, and dismiss the action for want of prosecution. *McGore v. Wrigglesworth*, 114 F.3d 601, 605 (6th Cir. 1997), *overruled on other grounds by Jones v. Bock*, 549 U.S. 199 (2007). If the plaintiff's case is dismissed under these circumstances, it will not be reinstated to the court's active docket despite subsequent payment of the filing fee or correction of any documentary deficiency. *Id.*

An extension of time to comply with this order may be requested from this court if a motion for an extension of time is filed within thirty (30) days of the date of entry of this order. *Floyd v. United States Postal Service*, 105 F.3d 274, 279 (6th Cir. 1997), *superseded on other grounds by* Rule 24, Fed. R. App. P.

It is so **ORDERED**.



Aleta A. Trauger
United States District Judge